

OFFICE OF ABORIGINAL AFFAIRS
BUSINESS PLAN 2005- 2006

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TABLE OF CONTENTS

A.	Message from the Minister	2
B.	Vision	3
C.	Mission Statement	3
D.	Planning Context	3
E.	Strategic Goals	5
F.	Core Business Areas	5
G.	Priorities 2005-2006	6
H.	Budget Context	10

Appendix A - Outcome Measures

A. Message from the Minister

The Office of Aboriginal Affairs has a number of major initiatives on which it will move forward in 2005-2006.

We remain pleased with the progress that the Mi'kmaq, Canada and Nova Scotia negotiators have made in implementing the June 2002 Umbrella Agreement. We are now working toward the signing of a Framework Agreement, which will act as a road map for future Treaty negotiations.

Along with progress on the Framework Agreement comes the responsibility of making Nova Scotians aware of the Made-in-Nova Scotia negotiating process and gather their input on the issues that will be discussed.

Members of the Tripartite Forum continue to develop initiatives to improve the lives of Nova Scotia's Aboriginal peoples. Progress has been made in addressing cross-jurisdictional priority issues and we hope to build on this in 2005- 2006.

The Supreme Court of Canada recently ruled on two cases regarding provincial governments' obligation to consult with Aboriginal peoples on issues that may affect their interests. Our office is committed to working with the Mi'kmaq and government departments to develop consultation policies and protocols.

This past September, First Ministers and Aboriginal Leaders agreed on the need for an action plan to improve health services for all Aboriginal peoples. In order to ensure the best outcomes for Nova Scotia's Mi'kmaq, the Province is dedicated to providing meaningful input to the development of the National Aboriginal Health Blueprint. Also, this year, we will work with Intergovernmental Affairs to aid in the planning of a First Ministers' Meeting on Aboriginal issues.

Interest in the Aboriginal Perceptions training course, initiated last year, has grown considerably. We are pleased with the positive response this course has received from both government employees and the private sector and look forward to offering this course well into the future.

These are only a few examples of the Office's work in relation to Aboriginal issues in Nova Scotia. As we prepare for the coming year, I would like to acknowledge the ongoing dedication and hard work of our staff. Please feel free to contact the Office of Aboriginal Affairs with any questions or concerns regarding this business plan.

Michael G. Baker, Q.C.
Minister of Aboriginal Affairs

B. Vision

The vision of the Office of Aboriginal Affairs (OAA) is:

Partnership. Negotiation. Direction.

On our journey toward fair and meaningful relationships with Aboriginal Peoples, we strive to build an inclusive, informed and prosperous Nova Scotia.

C. Mission Statement

It is the mission of the Office of Aboriginal Affairs to:

Lead Nova Scotia in Aboriginal Affairs by building mutual understanding, respect and a lasting relationship.

D. Planning Context

Nova Scotia has 13 Mi'kmaq First Nations with community populations ranging from 215 in the Annapolis Valley First Nation to 3,593 in the Eskasoni First Nation. In total, there are 12,797 registered Indians in Nova Scotia and of these, 4,093 live off-reserve. The Registered Indian population in Nova Scotia is represented through a series of 13 band councils and two tribal councils, the Confederacy of Mainland Mi'kmaq and the Union of Nova Scotia Indians. The Union of Nova Scotia Indians tribal council represents the five First Nation communities within Cape Breton (We'koqma'q, Wagmatcook, Membertou, Eskasoni, and Chapel Island First Nations) along with two First Nations located in mainland Nova Scotia (Indian Brook and Acadia First Nations). The remaining six communities are represented by the Confederacy of Mainland Mi'kmaq (Bear River, Annapolis Valley, Glooscap, Millbrook, Paq'tnekek, and Pictou Landing First Nations).

Other Aboriginal organizations include the Native Council of Nova Scotia which provides a range of services, primarily to Aboriginal people living off-reserve and the Native Women's Association which provide Aboriginal women with a voice in the social, cultural and economic development of the Aboriginal community.

The Office of Aboriginal Affairs has a leadership and coordination role within government on Aboriginal issues. Delivering on this mandate is done in the context of a number of factors:

- The signing of the **Umbrella Agreement** (2002) outlines the Province's primary commitments and mechanisms by which we will address issues with the Mi'kmaq of Nova Scotia, namely the development of a Framework Agreement (Aboriginal and Treaty Rights); Development of a Terms of Reference with respect to consultation and; a re-commitment to the Mi'kmaq - Nova Scotia - Canada Tripartite Forum.
- Within the **Mi'kmaq-Canada-Nova Scotia Tripartite Forum** continued cooperation and progress are resulting in positive changes in areas of culture and heritage, economic

development, health and healthy lifestyle promotion, to name a few. Through this process provincial and federal government departments work collaboratively with Mi'kmaq organizations and community members to address the jurisdictional and socio-economic gaps facing the Mi'kmaq of Nova Scotia.

- During September 2004, a Special First Ministers Meeting on Aboriginal Health was held, with the outcome being a directive for Provincial and Territorial Ministries of Health and Aboriginal Affairs to work jointly on the development of an Aboriginal Health Blueprint. At the same time, First Ministers agreed to convene a **First Ministers Meeting on Aboriginal Issues** to discuss Aboriginal health as well as other issues that are determinants of health.
- Two recent Supreme Court of Canada decisions (Haida and Taku River) outlined the obligations that provinces have with respect to **consultation** with Aboriginal peoples. The Office of Aboriginal Affairs will work collaboratively with other Departments of Government and the Mi'kmaq over the next year to develop consultation policies, protocols and approaches.

Within this context OAA will work collaboratively with other Provincial Departments and Agencies, Federal, and Aboriginal partners to address **key challenges** in the following areas:

- Development of policy, protocols and approaches for consultation with the Mi'kmaq;
- Finalizing a Framework Agreement through the Made-in-Nova Scotia process, lead by OAA on behalf of the Province, with the Federal Government and the Mi'kmaq of Nova Scotia;
- OAA will work towards public education initiatives in an effort to promote broader public understanding of Mi'kmaq culture and raise awareness of issues affecting the Mi'kmaq of Nova Scotia;
- Joint planning for an upcoming First Ministers Meeting on Aboriginal Issues;
- The development of a Nova Scotia Aboriginal Health Blueprint, and participation in the development of a National Aboriginal Health Blueprint and;
- In support of these critical priorities, the Office puts a high value on ensuring that staff have the necessary training made available to carry out the tasks assigned. Both individual and joint training of staff will again be pursued in 2005- 2006. In an effort to promote healthier workplaces, efforts will be made throughout the year to provide opportunities for employees to learn about ways to improve their workplace and create a healthy work environment. In addition a high level of individual and corporate accountability will be ensured through regular performance management and reporting on progress to senior management and Treasury and Policy Board.

E. Strategic Goals

1. To facilitate and support a coordinated approach within Government on matters related to Aboriginal people.
2. To work collaboratively with the Mi'kmaq, and other Federal and Provincial agencies to foster economic and social development as well as community capacity building.
3. To enhance awareness and understanding of issues related to the Mi'kmaq of Nova Scotia.
4. To build a sustainable foundation for Aboriginal-Government relations.
5. To represent the interests of Nova Scotians in intergovernmental, bilateral and tri-party negotiations and initiatives.

F. Core Business Areas

The Office of Aboriginal Affairs carries out its responsibilities through the following three core business areas:

1. **Aboriginal and Intergovernmental Relations** - This area includes working collaboratively with Aboriginal communities and organizations and other levels of Government to coordinate Aboriginal and tripartite initiatives, develop strategies, and build and maintain a sustainable foundation for First Nation-Government relations.
2. **Corporate Aboriginal Affairs Administration** - This business area includes providing corporate policy and strategic advice to departments and agencies concerning matters related to Aboriginal people while achieving departmental and corporate goals and objectives through planning, budgeting, reporting and communication.
3. **Negotiations** - The Office of Aboriginal Affairs is responsible for coordinating provincial departments in intergovernmental, bilateral and tri-party negotiations while working to create a stable and respectful relationships to reconcile the respective rights and interests of the Parties.

G. Priorities 2005- 2006

1. **Aboriginal and Intergovernmental Relations**

- In 2004-05, the Mi'kmaq-Nova Scotia-Canada Tripartite Forum successfully reached its goal of having all working committees collaborate on cross-sectoral issues (youth, skills, language, community involvement and jurisdictional roles and responsibilities) by way of its first annual Tripartite Forum General Assembly. For 2005- 2006:
 - S a priority remains for the Tripartite Forum to implement concrete actions in each of these critical areas.
 - S This year, there will also be special effort made in the area of Aboriginal health as National Aboriginal Organizations and the Federal and Provincial governments will be engaging in the development of an Aboriginal Health Blueprint. The Tripartite Forum will be the lead organization in terms of providing Nova Scotia's input into the broader, national context.
 - S Nova Scotia will also work closely with the Mi'kmaq to increase recognition of communities through enhanced signage, inclusion in tourism material and other means.
- The *Mi'kmaq Legal Support Network* (MLSN), created in 2002- 2003, is an administrative structure designed to support current and future justice programs and services directed toward Nova Scotia's Aboriginal community. OAA participates in this initiative in partnership with the Nova Scotia Department of Justice, Justice Canada and the Confederacy of Mainland Mi'kmaq (on behalf of all First Nation communities in Nova Scotia). In 2005- 2006, the Province will continue to work with CMM to strengthen service delivery of MLSN and support improved data collection efforts to allow for more informed decision-making.
- At a special meeting on Aboriginal Health in September 2004, First Ministers directed Ministers of Health and Aboriginal Affairs to work with National Aboriginal leaders to develop an Aboriginal Health Blueprint. In addition, First Ministers agreed to hold a First Ministers Meeting on Aboriginal Issues.
 - S During 2005- 2006, OAA will work with relevant departments of Government, other jurisdictions and National Aboriginal Organizations to develop a national Aboriginal Health Blueprint. In addition, Nova Scotia, through the Tripartite Forum will work collaboratively with the Mi'kmaq to develop a Nova Scotia Aboriginal Health Blueprint. The development of the more local blueprint is underway as a distinctive process but bears a relationship with respect to the Federal Government's announcement of \$700 million in funding for existing programs, including health human resources, the Aboriginal Health Transition Fund and other upstream programming.
 - S OAA, along with Intergovernmental Affairs will participate in the planning for a First Ministers Meeting on Aboriginal issues. This planning will be a

collaborative effort of the Federal, Provincial and Territorial governments along with National Aboriginal Organizations.

- The Office will continue to work with First Nations, Tribal Councils and the Native Council of Nova Scotia to identify community issues and determine what role the province can play in helping to resolve those issues.
- Each year, OAA organizes, in cooperation with the Mi'kmaq and Federal governments, a Treaty Day ceremony in Province House. In 2005, OAA will provide guidance and support for the 13th annual Treaty Day ceremony at Province House. In addition to Treaty Day, an emphasis will be placed on more formally recognizing October as Mi'kmaq History Month by scheduling further activities and events aimed at expanding awareness of Mi'kmaq culture in Nova Scotia.

2. Corporate Aboriginal Affairs Administration

OAA will continue to work closely with departments and agencies to provide advice and support in defining various approaches to addressing Aboriginal issues. In particular, during 2005- 2006, the Office will focus on the following key areas:

- The Supreme Court of Canada (SCC) ruled in two key cases (Haida and Taku River) on the obligations that Provincial governments have with respect to consulting with Aboriginal peoples on decisions that may affect their interests. Over the coming fiscal year, OAA will work with departments of government and the Mi'kmaq in developing consultation policies, approaches and protocols for Nova Scotia.
- In partnership with the Department of Education and the Office of Economic Development, OAA will identify opportunities to collaborate with the Mi'kmaq community and the Government of Canada in addressing skills and training needs.
- OAA will continue to work with the Mi'kmaq and other Provincial partners to further the work of Mi'kmawey Debert. The aim of this initiative is to protect a valuable and unique archaeological site while developing opportunities to share the history and culture of the Mi'kmaq. Progress is being made in the joint management planning of both the archaeological sites as well as the overall development process. OAA will continue to work closely with line departments to facilitate and foster cooperation with the Mi'kmaq on this initiative.
- 2005- 2006 will represent the second full year of OAA's delivery of the Aboriginal Perceptions Training course. In 2004-05, this successfully piloted course was reformatted and offered through the Public Service Commission as an intensive one day session for employees of the Nova Scotia Government. So far, approximately 850 individuals have completed this one day session which is designed for two purposes: first, it is a valuable asset for employees who work with Aboriginal

communities as a result of their department's work; second, it will help prepare employee for the experience of having Aboriginal co-workers in the Nova Scotia Civil Service. Finally, the course continues to be made available, on a limited basis, to organizations outside government who can also find practical applications.

- With the assistance of leaders in the field of communications, OAA will work in the coming year to support:
 - S A deeper understanding of Mi'kmaq communities within Provincial Departments and Agencies through discussion and dialogue as well as through the Aboriginal Perceptions Training course
 - S The public's broader knowledge of Mi'kmaq culture and heritage through the promotion of Mi'kmaq history month as well as significant events and initiatives throughout the year and
 - S Enhance the public's understanding of issues that affect the Mi'kmaq of Nova Scotia.
- In collaboration with the Nova Scotia Advisory Council on the Status of Women, the Office of Aboriginal Affairs intends to work with the Nova Scotia Native Women's Association and other partners to identify ways in which to address the needs of Aboriginal women in Nova Scotia.

3. Negotiations

- Working together with the Mi'kmaq of Nova Scotia and the Federal government, efforts will continue towards approval of the "Mi'kmaq of Nova Scotia Framework Agreement". The Framework Agreement is a commitment in the June 2002 *Umbrella Agreement*, and will formalize the establishment of a negotiations process on matters related to Aboriginal rights, including Aboriginal title, and treaty rights.
- In recognition of widespread interest in treaty-related negotiations, the Office of Aboriginal Affairs will continue to take steps to provide information to the public, municipalities and stakeholders, and to establish appropriate advisory mechanisms for negotiations.
- The June 2002 *Umbrella Agreement* also included a commitment for the parties to develop terms of reference to address consultation between the federal and provincial governments and the Mi'kmaq. This work has begun and the goal is to finalize the terms of reference and to proceed with a collaborative approach with the Mi'kmaq to develop policy on consultation issues.
- The Office of Aboriginal Affairs will continue to coordinate the involvement and input of

Provincial departments and agencies on treaty-related and consultation discussions. A corporate approach of working with interdepartmental committees and individual departments will ensure the interests of all affected departments are integrated in the development of Provincial positions and mandates.

- A series of First Nation gaming agreements contribute approximately \$35 million in own source revenue to Mi'kmaq communities on an annual basis. With the introduction of Nova Scotia's gaming strategy, Government will work with First Nation communities and leadership to identify opportunities to collaborate.

H. Budget Context

The budget for the Office of Aboriginal Affairs is estimated to be \$2.349 million in 2005-2006.

Office of Aboriginal Affairs - Estimated Budget Expenditures			
	Budget 2004-05	Forecast 2004-05	Budget 2005- 2006

	(\$,000)	(\$,000)	(\$,000)
Total Program Expenses - Gross Current	2,355	2,443	2,475
Net Program Expenses - Net of Recoveries*	2,229	2,229	2,349
Salaries and Benefits	740	716	797
Funded Staff (FTEs)	12.0	10.5	12.0

*Recoveries are primary related to the Mi'kmaq Courtworker Program

Appendix A

Outcome Measures

Aboriginal and Intergovernmental Relation

Outcome	Measure	Base Year Data	Target	Strategies to Achieve Target
<p>To effectively represent the interests of Nova Scotians in intergovernmental, tripartite, and bilateral initiatives and negotiations.</p>	<p>Percentage of government departments and agencies who agree that OAA effectively represents Nova Scotian's interests in intergovernmental, tripartite, and bilateral initiatives and negotiations.</p>	<p>32% of respondents strongly agreed and 64% agreed that OAA represents Nova Scotian's interests effectively in intergovernmental, bilateral, and tri-party initiatives and negotiations.</p>	<p>To increase the % of respondents who strongly agree.</p>	<ul style="list-style-type: none"> -Ongoing participation and coordination of provincial role in the Mi'kmaq-Canada-Nova Scotia Tripartite Forum. -Ongoing discussions with Mi'kmaq and Canada to identify issues for negotiations and the completion of a Framework Agreement. -Development of common approaches to consultation. -Internal preparation and consultations with departments. -Initiation of discussions with the Federal Government and the Mi'kmaq on principles and guidance for a consultation process in NS.
<p>Improved relations between the Government of Nova Scotia and Aboriginal communities and organizations.</p>	<p>Percentage of departments and agencies who are satisfied with their working relationship with Aboriginal communities and organizations.</p>	<p>15% of respondents were very satisfied with their working relationship with Aboriginal communities and organizations, and 65% were only somewhat satisfied.</p>	<p>To increase the % of respondents who are very satisfied.</p>	<ul style="list-style-type: none"> -Ongoing participation and involvement in national and regional initiatives, such as the development of an Aboriginal Health Blueprint and planning for an FMM on Aboriginal issues. -Ongoing identification and coordination of cross departmental Aboriginal issues. -Continuation of strategic advice and policy analysis to departments and agencies. -Working with departments and agencies to apply national strategies to provincial approaches.

Corporate Aboriginal Affairs Administration:

Outcome	Measure	Base Year Data	Target	Strategies to Achieve Target
Effective coordination and advice being provided to departments and agencies.	Departments and agencies satisfaction with the advice and support provided by OAA.	75% of departments were “very satisfied” with the advice and support provided by OAA.	80%	-Provide research and policy advice that is timely, accurate and useful.
To enhance awareness and understanding of Aboriginal issues in Nova Scotia.	Increase in Nova Scotian’s who feel informed and knowledgeable of Aboriginal issues in Nova Scotia.	40% of Nova Scotians feel informed about Aboriginal issues in Nova Scotia. (2003 Omnibus Survey)	Increase in % of Nova Scotians who feel informed about Aboriginal issues in Nova Scotia.	-Develop and implement strategies to enhance Nova Scotian’s understanding and awareness of issues related to Aboriginal people in Nova Scotia.
	% of government employees who strongly agree that OAA enhances awareness of Mi’kmaq culture.	33% of departments and agencies “strongly agreed” that OAA enhances the awareness of Mi’kmaq culture, while 67% “agreed”.	Increase in the % of government employees who strongly agree.	-Develop and implement strategies to enhance employee’s understanding and awareness of issues related to Aboriginal people in Nova Scotia.
	Qualitative assessment of Government employees satisfaction with Aboriginal Perceptions Training.	To date, OAA participants indicated satisfaction with the training.	We hope to continue on the success already achieved by responding to the comments and suggestions of future participants.	-Develop a program that can be fluid according to the needs of the participants.

Negotiations:

Outcome	Measure	Base Year Data	Target	Strategies to Achieve Target
Progress toward resolution of Aboriginal rights, Aboriginal title and treaty-related issues.	Framework Agreement.	Draft Framework Agreement.	Approved Framework Agreement in 2005.	-Confirm and complete Mi'kmaq ratification process. -Inform public and stakeholders -Cabinet Approval.
	Public Participation (Processes for information sharing and input by public and stakeholders regarding negotiations).	Series of informal meetings and presentations about negotiations to key stakeholder groups.	Initiate more formal stakeholder and public participation mechanisms in 2005 - 2006.	-Complete Terms of Reference for joint Nova Scotia-Canada public participation process. -prepare and implement a public participation work plan, coordinated with the work of the negotiation table.
	Consultation Terms of Reference (To address consultation between the Mi'kmaq, Canada and Nova Scotia for government approvals and activities that may impact Aboriginal or treaty rights).	Discussions between the three parties have begun	Complete Terms of Reference in 2005 - 2006	Continue discussions with Mi'kmaq and Canada, and obtain input from Provincial departments and agencies.